

REMARKS

Claims 1-5, 7-11, 13-17 and 19-23 are rejected under 35 U.S.C. 102(b) as being anticipated by Busuioc et al. (US Patent 6,151,309). Regarding claims 1 and 13, the Examiner states that Busuioc discloses a method and apparatus of providing a service in a communication system as recited by the claim elements of claims 1 and 13. Applicants respectfully disagree.

Busuioc discloses a service provision system for a communications network. The system utilizes an agent architecture comprising a plurality of different agents inter-working to provide various services. In particular, the systems use Customer Agents which interface with customers and Network Management Agents which are responsible for managing the resources of the network. Each provided service has a Service Provision Agent which provides the link between the services and the network (ref. col. 8 lines 24 to 27).

In operation, the Customer Agent for a specific customer may interface with the Network Management Agents to determine e.g. a current price for the provided service as a function of a cost of the basic network resources. In particular, the Customer Agent may communicate with the Network Management Agents in order to manage, monitor and cost the provisions of the basic network resources needed to provide a service (col. 5 line. 12 to 15). Hence, the management system disclosed in Busuioc consists of a distributed management of resources and provision of services to a user. A Customer Agent of the network system controls the user interface and may provide the user with cost information (col. 7 lines 26-30). The Customer Agent may furthermore receive a selection from the user and establish a service in response (col. 7 lines 31-34). However, it is clear that in the system of Busuioc, the price determination is based on the cost of the underlying communication resource. The provision of user options etc., are performed by the Customer Agent rather than by any content provider. In particular, the information for controlling the provision of options and cost information is obtained by the Customer Agent which in response determines the cost information and options which are provided to the customer. (ref. e.g. col. 9 lines 2-10 or steps 505-510 in col. 9 lines 41-56).

The Customer Agent is clearly not a content provider as it provides no content or service to the user but exclusively manages the provision of services to the customer as explicitly stated in e.g. col. 3 lines 52-53. (The Applicant acknowledges that the Examiner has not suggested that the Customer Agent is a content provider). Indeed, it is respectfully submitted that Busuioc does not disclose the feature of a content provider and that the closest disclosed feature is that of the Service Provision Agent (col. 8 line 23) which is not itself a content provider but an Agent performing the function of interfacing with a service.

In contrast to Busuioc, the system of the present invention allows the content provider to control the total cost to the user. In particular, the current invention allows for the content provider itself (rather than an element of the communication system) to determine cost information which depends on the provision of the communication through the communication system (i.e. depending on the cost of the associated basic resource usage). This functionality is enabled by an architecture wherein the content provider is provided with price information associated with communication through the communication system. The content provider itself (rather than e.g. an internal customer agent of the communication system) may thus determine a price of providing the service in the current conditions. The content provider itself can thus itself determine and provide price information related to a plurality of options for the user to select between. Hence, in contrast to the Customer Agents of Busuioc, the content provider of the current invention may develop a more sophisticated pricing policy which takes into account both content provision and communication provision e.g. by modifying a cost of the content in response to a cost of the communication through the communication system.

The Examiner cites text passages in col. 7 lines 1 to 34 of Busuioc. The Applicant notes that Busuioc from col. 6 line 46 to col. 8 line 23 discloses the functions and characteristics of a Customer Agent. In particular, the cited text describes functions and characteristics of a Personal Customer Agent (col. 7 line 4). Hence, the referenced text clearly relates to functions performed by a Customer Agent which is part of the communication system (ref. e.g. FIG. 2).

The Examiner suggests that col. 7 lines 1-11 may correspond to providing information to a content provider. The Applicant respectfully disagrees. It is respectfully submitted that col. 7 lines 5 to 1 explicitly and unambiguously (line 5) lists the information which is stored and updated in the Personal Customer Agent. Hence, the text discloses that the Personal Customer Agent may store information relating the a customer's current location; a customer's business profile, services offered by the relevant operator, payment requirements from the customer and billing and pricing information. Thus, the text clearly states that the Personal Customer Agent stores this information (and accordingly may have derived this or received this from somewhere). However, there is no disclosure or suggestion or even hint that this information is transmitted anywhere else and in particular there is no suggestion that any of this information is transmitted to a content provider.

Furthermore, the system of Busuioc clearly determines the cost impact of network resources (as determined by the Network Management Agents) in the Customer Agents and thus does not only fail to disclose the provision of such information to a content provider but explicitly discloses an alternative approach to the current invention.

The Examiner suggests that col. 7 line 19-20 discloses receiving, from the content provider, price information related to a plurality of options related to values of at least one communication parameter to be used during the provision of service. However, it is respectfully submitted that col. 7 lines 19-20 unambiguously discloses that the Customer Agent receives information from the Network Management Agents. Clearly, the Network Management Agents are not content providers as they provide the function of managing, monitoring and costing the provision of the basic network resources needed to provide the service (defined e.g. in col. 5 lines 12-14). Thus, the Network Management Agents clearly do not provide any content service but are exclusively concerned with the provision of the communication link through the communication system.

Thus, it is respectfully submitted that Busuioc fails to disclose the claim 1 and 13 limitations of [means for] providing price information associated with communication through the communication system to the content provider; and

[means for] receiving from the content provider price information related to a plurality of options related to values of at least one communications parameter to be used during the provision of service.

It is respectfully submitted that independent claims 1 and 13 are novel and inventive over Busuioc. It is also submitted that dependent claims 2-5, 7-12, 14-17 and 19-24 are allowable by virtue of their dependency on claims 1 and 13. Applicants respectfully request the reconsideration and reexamination of this application and the timely allowance of the pending claims. Please charge any fees associated herewith, including extension of time fees, to 50-2117.

Respectfully submitted,
Dellaverson, Lou, et al.

SEND CORRESPONDENCE TO:

Motorola, Inc.
Law Department

Customer Number: 22917

By:


Lalita W. Pace

Attorney for Applicant

Registration No.: 39,427

Telephone: 847-538-5855

Fax: 847-576-3750